

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION

Sintari A. Summers, #326274,	)	Civil Action No. 0:08-0027-TLW-PJG
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
Sheriff Jason Booth; Administrator Janice	)	
Ergle; Nurse Brenda Williams; and	)	
Assistant Administrator Virginia Burton,	)	
	)	
Defendants.	)	
_____	)	

The *pro se* plaintiff, Sintari A. Summers, (“Plaintiff”), an inmate with the South Carolina Department of Corrections, filed the above-captioned lawsuit seeking relief under Title 42, United States Code, Section 1983. (Doc. # 1.) On November 30, 2008, the Defendants Jason Booth, Janice Ergle and Virginia Burton (collectively “Booth Defendants”) filed a Motion for Summary Judgment. (Doc. # 63.) Pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), the Plaintiff was advised by Order filed November 25, 2008 that he had thirty-four (34) days to file any material in opposition to the Defendant’s motion. (Doc. # 65.) The Plaintiff failed to file any response to the Booth Defendants’ motion.

On December 31, 2008, United States Magistrate Judge Paige J. Gossett filed an Order requiring the Plaintiff to respond to the Booth Defendants’ Motion for Summary Judgment within fifteen (15) days or recommendation would be made to this Court to dismiss his claims with prejudice. (Doc. # 67.) Thereafter, the Plaintiff requested, and was granted, two extensions to respond to the Booth Defendants’ motion until February 16, 2009. (Docs. # 69, 70, 78 & 80.) The

Plaintiff failed to file any responsive brief.

On March 30, 2009, Magistrate Judge Gossett filed a Report and Recommendation (the “Report”) pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B). (Doc. # 89.) In the Report, the Magistrate Judge recommended that the Plaintiff’s claims be dismissed with prejudice for failure to prosecute. Id.

On March 30, 2009, the Report was sent to the Plaintiff via U.S. Mail with notice to file any objections to the Report on or before April 16, 2009. (Doc. # 90.) The Plaintiff has not filed any objections to the Report.

This matter is now before the Court upon the Magistrate Judge’s recommendation that the Plaintiff’s claims be dismissed. This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge’s Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

A review of the record indicates that the Report accurately summarizes this case and the applicable law. As well, this Court has reviewed the Motion for Summary Judgment and relevant documents filed. The evidence on the record warrants a grant of summary judgment. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge’s Report is **ACCEPTED** (Doc. # 89), and the Plaintiff’s Complaint (Doc. #1) is **DISMISSED** with prejudice.

**IT IS SO ORDERED.**

S/Terry L. Wooten  
United States District Judge

May 14, 2009  
Florence, South Carolina